

Honorable Judge Timothy W. Dore  
Chapter 7

Latife Neu, Attorney at Law PLLC  
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IN THE UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

In re

ZENA M. DODSON

Debtor.

ZENA M. DODSON,

Plaintiff,

v.

UNITED STATES DEPARTMENT OF  
EDUCATION,

Defendant.

Case No.: 14-18117-TWD

Adv. No:

**COMPLAINT TO DETERMINE  
DISCHARGEABILITY OF STUDENT  
LOAN DEBT**

**1. PARTIES & JURISDICTION**

1.1 Plaintiff is the debtor in the above-referenced proceeding. She filed a petition for relief pursuant to Title 11, Chapter 7, on October 28, 2014. She received a discharge of debt on April 2, 2015.

1.2 Defendant is the United States Department of Education (“DOE”).

1.3 This case having been closed on April 6, 2015, the Defendant moved this Court for an order reopening this case, and the case was then reopened on October 11, 2022. Plaintiff may serve Defendant United States Department of Education by mailing a copy of the Summons and Complaint to the United States Department of Education by first class mail to the below addresses:

COMPLAINT - 1

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Secretary of Education Miguel Cardona  
U.S. Department of Education  
400 Maryland Avenue SW  
Washington DC 20202

US Attorney  
Attn: Civil Process Clerk  
700 Stewart Street, Ste 5220  
Seattle WA 98101-1271

Attorney General of the United States  
Department of Justice  
950 Pennsylvania Avenue NW, Room B103  
Washington, DC 20530-0001

Federal Rule of Bankruptcy Procedure 7004(b)(4) and (5).

1.4 This Court has jurisdiction over the subject matter as an adversary proceeding under 11 U.S.C. §523(a) and 28 U.S.C. § 1334.

1.5 This is a core proceeding. This is a proceeding in which the Court can enter a final judgment and over which the Court has jurisdiction pursuant to Stern v. Marshall, 564 U.S. 293, 131 S.ct. 2594 (2011).

## **2. ACTIONS GIVING RISE TO THE CLAIM**

2.1 The Plaintiff attended Griffin Business College (“Griffin”) for several semesters beginning in 1988. Griffin was a struggling for-profit school that closed permanently in 1993, in the wake of lawsuits by multiple former students, who alleged they were harmed by Griffin’s practices.

2.2 The Plaintiff enrolled at Griffin based on representations by admissions officers that she could earn a Bachelor's degree from the school.

23 The Plaintiff was unable to earn a Bachelor's degree because the school closed

2.4 In the course of pursuing her studies, the Plaintiff was induced to take student loans to pay for her attendance and expenses. According to records available at [www.studentaid.gov](http://www.studentaid.gov), \$18,955

1 was disbursed to her. The loans taken to attend Griffin Business College are numbered 1 through  
2 6, and shown in **bold** in the table following paragraph 12, below.

3 2.5 Records available at [www.studentaid.gov](http://www.studentaid.gov) indicate that the US Department of Education  
4 attributes to the debtor a currently owed debt of \$78,715, all tracing to \$18,955 disbursed between  
5 1988 and 1991. The balance is now held in the form of a Direct Consolidation loan, which is in  
6 good standing.

7 2.6 Records available at [www.studentaid.gov](http://www.studentaid.gov) show original disbursements and current  
8 balances as follows, ordered below by dates of disbursement.  
9

|    | Date             | Loan type                         | Disbursed amt. | Balance     |
|----|------------------|-----------------------------------|----------------|-------------|
| 1  | <b>5/31/1988</b> | <b>FFELP Stafford Subsidized</b>  | <b>\$2,625</b> | <b>\$0*</b> |
| 2  | <b>1/4/1989</b>  | <b>Supplemental Loan (SLS)</b>    | <b>\$2,085</b> | <b>\$0*</b> |
| 3  | <b>2/14/1989</b> | <b>FFELP Stafford Subsidized</b>  | <b>\$2,245</b> | <b>\$0*</b> |
| 4  | <b>1/8/1990</b>  | <b>Supplemental Loan (SLS)</b>    | <b>\$4,000</b> | <b>\$0*</b> |
| 5  | <b>2/18/1991</b> | <b>Supplemental Loan (SLS)</b>    | <b>\$4,000</b> | <b>\$0*</b> |
| 6  | <b>2/28/1991</b> | <b>FFELP Stafford Subsidized</b>  | <b>\$4,000</b> | <b>\$0*</b> |
| 7  | 5/6/1994         | FFELP Consolidation               | \$21,768       | \$0*        |
| 8  | 11/4/1994        | FFELP Consolidation               | \$25,448       | \$0*        |
| 9  | 1/12/1999        | Direct Consolidation Unsubsidized | \$36,636       | \$0*        |
| 10 | 6/22/2005        | FFELP Consolidation               | \$49,613       | \$0*        |
| 11 | 1/13/2009        | Direct Consolidation Unsubsidized | \$55,519       | \$78,715    |

22 \*paid in full through consolidation

Source: [www.studentaid.gov](http://www.studentaid.gov)

23 2.7 Ms. Dodson has worked in public service (government or non-profit employment) for the  
24 majority of her 30 year career.  
25

26 2.8 In 2014, Ms. Dodson filed for Chapter 7 bankruptcy protection and received a discharge.  
Her student loans were not discharged.

COMPLAINT - 3

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1       2.09 Since entering repayment in the early 1990s, Ms. Dodson has made a good faith effort to  
2 repay the loans when and as she was able. When she was unable to afford payments, she was in  
3 frequent contact with her loan servicers.

4       2.10 At age 59, Ms. Dodson supports her two adult daughters, who are both getting on their feet  
5 financially, and her granddaughter. She has meager retirement savings and no significant assets.  
6

7       2.11 Ms. Dodson has worked full time for the Renton School District since 2020. Recently, she  
8 has held a second job as a care provider to make ends meet. In the long term, she will not be able  
9 to maintain a part time job, in addition to a full time job.

10      2.12 Ms. Dodson uses her best effort to minimize her expenses. She minimizes entertainment  
11 and transportation expenses, and she avoids expensive habits or pastimes. She cuts coupons for  
12 groceries and even restricts her food intake to stretch the family food budget.

13      2.13 Despite maximizing her income and minimizing her expenses, Ms. Dodson is currently  
14 unable to repay her student loans without undue hardship to herself and her dependents, given her  
15 income and family responsibilities. She is not able to make meaningful payments on her federal  
16 student loan balance while maintaining a minimal standard of living.  
17

18      2.14 Ms. Dodson will not be able to repay her student loans in the future without undue hardship  
19 to herself and her dependents, given her employment prospects, age, health, and family  
20 responsibilities. Repayment of the balance over an extended period would result in undue hardship  
21 after retirement.

22      2.15 The Plaintiff has carried the debt taken to attend a failed school for over thirty years. It  
23 would be a grave injustice to require her to pay another \$78,715, plus interest, on this debt.

24      2.16 The above indicates that Ms. Zena Dodson is entitled to a total hardship discharge pursuant  
25 to 11 U.S.C. §523(a)(8). She has met all of the elements of the applicable legal standard, and is  
26 eligible for relief in light of applicable statute and case law.

### 3. PRAYER FOR RELIEF

THEREFORE, Plaintiff Zena Dodson requests the following:

3.1 That the Court enter an Order declaring her student loans discharged, in their entirety, in this bankruptcy case.

3.2 For other such relief as this Court deems fit.

DATED this 17<sup>th</sup> day of October, 2022.

## Latife Neu, Attorney at Law PLLC

By: /s/ Latife H. Neu  
Latife H. Neu, WSBA #33144  
Attorney for Debtor/Plaintiff Zena Dodson

## **COMPLAINT - 5**

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